

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	David J. Luneau et al.	Art Unit :	2614
Serial No. :	10/038,866	Examiner :	Gerald Gauthier
Filed :	January 4, 2002	Conf. No. :	6385
Title :	TELEPHONE NETWORK MESSAGING		

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION DATED 27 JUNE 2007

Claims 1-19 stand rejected as obvious over Albal, U.S. Patent Application No. 2003/0147518 A1, in view of Meldrum, United States Patent No. 6,697,478. Dependent claims 20-22 stand rejected as obvious over Albal, Meldrum, and Tate, U.S. Patent No. 6,509,833. "non-associated telephone call ... from a simulated calling party"

With regard to this claim feature, the issue in the present Office action remains the same as in the previous five actions (June 19, 2003; December 9, 2004; October 20, 2005; April 26, 2006; and January 25, 2007): whether the prior art identified by the Examiner discloses the claim 1 feature of "setting up a *non-associated telephone call* to the recipient telephone number *from a simulated calling party* having the same telephone number as the message code, such that the telephone network uses the caller-identification feature to communicate data corresponding to the message code to the recipient telephone number." (Emphases added.)

In the present Office action, the Examiner in paragraph 6 states that he disagrees with Applicant's construction of the claim term "non-associated telephone call:" "The original claim 1 contains a non-associated telephone call to the recipient telephone number *but not a simulated call as argued*. The examiner interprets the non-associated telephone call as a signal to the recipient equipment." (Emphasis added.)